

920013697

PATENT  
Docket No. 449122001400

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 21, 2003.

  
Melissa Garon

#14

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Hartwig OHMSTEDE

Serial No.: 09/720,239

Filing Date: February 12, 2001

For: METHOD FOR REDUCING DATA IN  
RAILWAY OPERATION

Examiner: Mark T. Le

Group Art Unit: 3617

## RENEWED PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

## BOX DAC

Attention: Beverly Flanagan  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant requests withdrawal of abandonment for the above-referenced application.

Nature of abandonment:

- ☒ The undersigned has noted that the above-referenced application is being forwarded to the Abandoned Files because of Applicant's failure to timely pay the required issue fee within statutory period of three months from the mailing date of the Notice of Allowance.

A copy of the Issue Fee Transmittal and stamped return postcard dated June 14, 2002 is attached hereto evidencing that the Issue Fee was properly paid on June 14, 2002. As noted on the Issue Fee Transmittal, the box authorizing the Commissioner to charge the required fees to

09720239

031952

00000003

09/15/2002

09/15/2002

1280.00 DA

our Deposit Account was indeed checked. However, the Deposit Account number itself was not properly identified. Applicants hereby petition that the appropriate fee(s) should nonetheless have been withdrawn from the Deposit Account based on Applicants earlier "blanket" authorization to withdraw from the Deposit Account, as indicated on the attached Transmittal accompanying the original filing under 35 USC § 371. The blanket authorization specifically indicates that "b. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952.**" This blanket authorization (which clearly indicates the Deposit Account Number), in combination with the checked authorization box on the Issue Fee, meets the requirements of 37 CFR § 1.25. Additionally, Applicants note that Morrison & Foerster, Applicant's representatives, also have a deposit account with the U.S. Patent and Trademark Office. As Applicants representatives are the attorney of record, and the box on the Issue Fee transmittal was checked, authorization is automatically granted to the Deposit Account of the undersigned. As such, the appropriate fees should have been withdrawn from Deposit Account No. 03-1952 (which belongs to Morrison & Foerster).

Applicant respectfully requests that abandonment of this application be withdrawn, and that the appropriate fees be withdrawn from the Deposit Account.

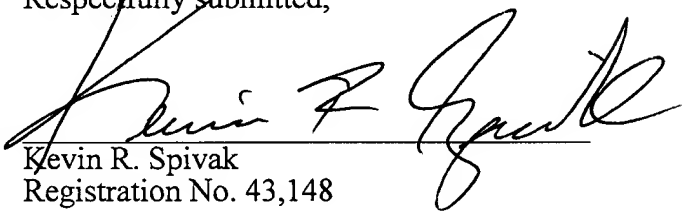
In the event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 449122001400.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,

Dated: March 21, 2003

By:

  
Kevin R. Spivak  
Registration No. 43,148

Morrison & Foerster LLP  
1650 Tysons Boulevard  
Suite 300  
McLean, Virginia 22102  
Telephone: (703) 760-7762  
Facsimile: (703) 760-7777

449122001400

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. § 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/DE99/01849

INTERNATIONAL FILING DATE  
21 June 1999

PRIORITY DATE CLAIMED  
23 June 1998

TITLE OF INVENTION

**METHOD FOR REDUCING DATA IN RAILWAY OPERATION**

APPLICANT(S) FOR DO/EO/US

**Hartwig OHMSTEDE**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: 1. Various PCT Documents 2. Return receipt postcard.

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, DC on December 22, 1999.

LaVerne Whitestone

**COPY**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) \*

INTERNATIONAL

APPLICATION NO. Not yet Assigned

ATTORNEY'S DOCKET

NUMBER: 449122001400

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1,000.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provision of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

CALCULATIONS  
PTO USE ONLY

ENTER APPROPRIATE BASIC FEE AMOUNT = \$1000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from  
the earliest claimed priority date (37 CFR 1.492(e)).

\$0

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

\$0

Total claims

14 - 20 =

0

x \$18.00

\$0

Independent claims

1 - 3 =

0

x \$80.00

\$0

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$270.00

\$270.00

TOTAL OF ABOVE CALCULATIONS = \$1270.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced  
by 1/2.

\$0

SUBTOTAL = \$1270.00

Processing fee of \$130.00 for furnishing the English translation later than  
☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

\$0

TOTAL NATIONAL FEE = \$1270.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

\$40.00

TOTAL FEES ENCLOSED = \$1310.00

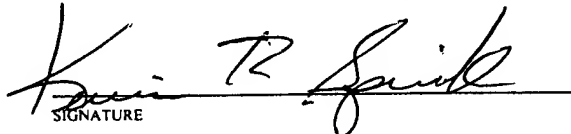
Amount  
to be  
refunded:  
charged: \$

- a. ☒ A check in the amount of \$ 1,310.00 to cover the above fees is enclosed.
- b. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to  
Deposit Account No. 03-1952.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
(37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Kevin R. Spivak  
Morrison & Foerster LLP  
2000 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006-1888

  
SIGNATURE

Kevin R. Spivak  
Registration No. 43,148

## PART B - FEE(S) TRANSMITTAL

Complete and mail this form, together with applicable fee(s), to:

Box ISSUE FEE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

MAILING INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

25227 7590 03/25/2002

MORRISON & FOERSTER LLP  
2000 PENNSYLVANIA AVE, NW  
SUITE 5500  
WASHINGTON, DC 20006-1888



Note: The certificate of mailing below can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

## Certificate of Mailing

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

Emily T. Palmer	(Depositor's name)
<i>Emily T. Palmer</i>	(Signature)
June 14, 2002	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,239	02/12/2001	Hartwig Ohmstede	449122001400	1168

TITLE OF INVENTION: METHOD FOR REDUCING DATA IN RAILWAY OPERATION

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
8	nonprovisional	NO	\$1280	\$0	\$1280	06/25/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
LE, MARK T	3617	246-18200R

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Morrison &
- 2 Foerster LLP
- 3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Siemens Aktiengesellschaft

Munchen, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☒ corporation or other private group entity ☐ government

## 4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 6

## 4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date) 6/14/02

Kevin R. Spivak

43, 148

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

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COPY

TRANSMIT THIS FORM WITH FEE(S)